

SEP 18 2006

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Wolff Law Offices, PLLC

Fax

To: USPTO - Examiner Gregory G. Todd **From:** Kevin Alan Wolff
Fax: 571-273-8300 **Pages:** 29
Phone: 571-272-1000 **Date:** 9/18/2006
Re: Application number 10/813,484 - **CC:**
Amendment and Response

☒ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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● **Comments:**

Dear Examiner Todd:

As a response to the Office Action dated 6/16/2006 please find enclosed

1. Filing Record
2. Transmittal Form
3. Fee Transmittal Form
4. Credit Card Payment Form
5. Amendment and Response to Application No. 10/813,484.

Thank you for your attention to this matter.

Kevin Alan Wolff

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SEP. 18 2006

WOLFF LAW OFFICES, PLLC - FILING RECORD

Attorney Docket No.: **NECLAB - PAUS0011**
Today's Date: **September 18, 2006**
Attorney: **Kevin A. Wolff**
Fee Transmitted Herewith: **\$350**
Serial No.: **10/813,484**
Filing Date: **March 30, 2004**
Title: **PEER-TO-PEER SYSTEM AND METHOD WITH
IMPROVED UTILIZATION**
Inventors: **Cezary Dubnicki et al.**

THE TRANSMISSION HEREOF ACKNOWLEDGES RECEIPT OF:

DOCUMENTS BEING FILED:

- (1) Transmittal Form
- (2) Fee Transmittal Form
- (3) Credit Card Payment Form
- (4) Amendment and Response

SEP 18 2006


PTO/SB/21 (09-04)

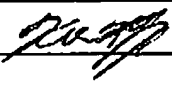
Approved for use through 07/31/2010, OMB A651-A031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|-------------------|
| TRANSMITTAL FORM | Application Number | 10/813,484 | |
| | Filing Date | 3/30/2004 | |
| | First Named Inventor | Cezary Dubnicki | |
| | Art Unit | 2157 | |
| | Examiner Name | Gregory G. Todd | |
| (To be used for all correspondence after initial filing) | | Attorney Docket Number | NECLAB - PAUS0011 |
| Total Number of Pages in This Submission | | 29 | |

| ENCLOSURES (Check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Payment Form, PTO-2038 |
| Remarks _____ | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm Name | Wolff Law Offices, PLLC, 209 Providence Rd., Chapel Hill, NC 27514 | |
| Signature | /Kevin Alan Wolff/  | |
| Printed name | Kevin Alan Wolff | |
| Date | 9/18/06 | Reg. No. 42,233 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | |
| Signature | /Kevin Alan Wolff/  |
| Typed or printed name | Kevin Alan Wolff |
| Date | 9/18/06 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 18 2006

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4010).**FEE TRANSMITTAL**
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 350.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/813,484 |
| Filing Date | 3/30/2004 |
| First Named Inventor | Cezary Dubnicki |
| Examiner Name | Gregory G. Todd |
| Art Unit | 2157 |
| Attorney Docket No. | NECLAB - PAUS0011 |

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☒ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)
under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|
|--------------|--------------|----------|---------------|

| | | | |
|----|----------------|----------|-------|
| 27 | - 20 or HP = 7 | x \$50 = | \$350 |
|----|----------------|----------|-------|

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
|---------------|--------------|----------|---------------|

| | | | |
|---|---------------|---------|-----|
| 3 | - 3 or HP = 0 | x \$0 = | \$0 |
|---|---------------|---------|-----|

HP = highest number of independent claims paid for, if greater than 3.

| Small Entity | |
|---------------------------|---------------|
| Fee (\$) | Fee (\$) |
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |
| Multiple Dependent Claims | |
| Fee (\$) | Fee Paid (\$) |
| \$0 | \$0 |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
|--------------|--------------|--|----------|---------------|

| | | | | |
|-----------|--------|--------------------------------|--|-----|
| - 100 = 0 | / 50 = | (round up to a whole number) x | | \$0 |
|-----------|--------|--------------------------------|--|-----|

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

| | | | | | |
|-------------------|-------------------|--------------------------------------|--------------------|-----------|--------------|
| Signature | /Kevin Alan Wolff | Registration No. (Attorney/Agent) | 42,233 | Telephone | 919-419-8682 |
| Name (Print/Type) | Kevin Alan Wolff | Date | September 18, 2006 | | |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Wolff Law Offices, PLLC
Amendment and Response

Appl. Ser. No. 10/813,484

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Dubnicki et. al.

Filing Date: March 30, 2004

Serial Number: 10/813,484

Group Art Unit: 2157

For: PEER-TO PEER SYSTEM AND METHOD
WITH IMPROVED UTILIZATION

Examiner: Gregory G. Todd

AMENDMENT AND RESPONSE

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please amend the application as follows:

09/19/2006 TL0111 00000013 10013484

01 FC:1202

350.00 OP